

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

Tylan HUDDLESTON
Paris DAVIS

Magistrate's No. 20-1718

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Special Agent Gregg Frankhouser, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed for over eighteen years. Since March 2007, Affiant has been with the Pittsburgh Division. In the course of my career I have experience and training involving criminal cyber investigations and violent crime matters. My experience as an FBI Special Agent has included the investigations of violent crimes against children matters, intellectual property violation investigations, computer intrusion matters, bank robbery and financial crimes, and I have enforced federal laws prohibiting these offenses.

2. This affidavit is submitted for the limited purpose of establishing probable cause to believe that Tylan HUDDLESTON and Paris DAVIS knowingly filed, or aided and abetted the filing, of a claim for Pandemic Unemployment Assistance (PUA) benefits that contained materially false, fictitious, and fraudulent statements, in violation of 18 U.S.C. §§ 1040(a)(2) and 2, and that Tylan HUDDLESTON and Paris DAVIS conspired to commit fraud in connection with a major disaster or emergency benefit, in violation of 18 U.S.C. § 371. Accordingly, it does not include every fact known to me in connection with this investigation.

BACKGROUND

3. The United States government has been taking steps to slow the spread of the novel coronavirus (COVID-19) and to mitigate its impact on the public's health and economic well-being. To that end, on March 13, 2020, the President declared the ongoing COVID-19 pandemic to be an emergency under Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

4. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed into law. The CARES Act created the PUA program, which provides unemployment benefits, in the form of money, to individuals not eligible for regular unemployment compensation or extended unemployment benefits. The PUA program is administered by the various states, including the Commonwealth of Pennsylvania, but its benefits are funded in large part by the federal government. PUA benefits are paid in connection with the President's declaration that the COVID-19 pandemic constitutes an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

5. Section 2104 of the CARES Act also provides for an emergency increase in unemployment compensation benefits, referred to as Federal Pandemic Unemployment Compensation (FPUC). FPUC provides eligible individuals with \$600 per week in addition to the weekly benefit amount they receive from certain other unemployment compensation programs, to include PUA.

6. Individuals are only eligible for PUA benefits if they are both unemployed for reasons related to the COVID-19 pandemic and available to work. In order to receive benefits, an individual must file a claim including his or her name, social security number, and address, as well

as answer the eligibility questions. Individuals who are serving a sentence of incarceration, or who are detained pending a criminal trial, are neither available for work nor unemployed for reasons related to the COVID-19 pandemic. As a result, they are not eligible to receive PUA benefits for the period of their incarceration.

7. According to the PUA Portal, the weekly certification process states the following:

“Payments for PUA are based on a seven-day period from Sunday through Saturday. To claim benefits for a week of Pandemic Unemployment, you must file a weekly certification. Your weekly benefit claim certifies that for the seven day certification period, you: were ready, willing and able to work each day, were seeking full time employment as required, did not refuse any job offers or referrals, have reported any employment you had during the week and the gross pay or other payments you received. Your weekly certification should be completed in a timely manner; a delay in filing may result in a delay or denial of your payment.”

8. The PUA Portal then requires the filers acknowledgement to the following statement regarding truthful reporting:

“Answer all the questions truthfully. Your answers become part of the record of your claim. You must report all earnings for the weeks in which you work – even if you have not been paid yet. Any information you provide may be verified through crossmatching programs. If you fail to report wages or otherwise lie about your eligibility, you should expect to get caught.

Providing incorrect information, or information on someone other than yourself may be considered fraud. False statements are punishable pursuant to 18 Pa. C.S. 4904, relating to unsworn falsification to authorities. A person who knowingly makes a false

statement or knowingly withholds information to obtain UC benefits commits a criminal offense under Section 801 of the Law, 43 P.S. 871, and may be subject to a fine, imprisonment, restitution, garnishment of federal tax refunds and loss of future benefits.

By filing this claim, you acknowledge that you have read the PUA Handbook, which includes information about your civil rights under federal law, and that you are responsible to abide by the information and instructions in the handbooks.”

9. Knowingly making a materially false, fictitious, or fraudulent statement or representation in connection with an application for Pandemic Unemployment Assistance or Federal Pandemic Unemployment Compensation benefits violates Title 18, United States Code, Section 1040(a)(2), which prohibits Fraud in Connection with Emergency Benefits.

PROBABLE CAUSE

10. In July of 2020, your affiant received information that suspected fraudulent Pandemic Unemployment Assistance claims (PUA) were filed in the name of inmates that were currently incarcerated in the Lawrence County Jail (LCJ).

11. The LCJ, located at 111 Milton Street, New Castle, PA 16101, typically houses more than 100 men and women inmates. LCJ inmates can make local and long-distance phone calls which are paid for from the inmate’s pre-paid account. Tylan HUDDLESTON is currently incarcerated at LCJ and has been so since approximately on or about June 5, 2020.

12. On or about July 4, 2020, an application for Unemployment Income (UI) was submitted via the Pennsylvania’s PUA Portal on HUDDLESTON’s behalf. The application included HUDDLESTON’s accurate Personal Identifying Information (PII), to include full name, date of birth, and social security number. Weekly certifications of the benefit then started on July 6, 2020. On July 6, 2020, weekly certifications were completed for each of the 14 preceding weeks

from April 4, 2020 through July 4, 2020. Weekly certification were then completed over the subsequent five weeks for the dates of July 11, 2020 through August 8, 2020. Below are the details of the payments issued to HUDDLESTON:

Issue Date	Payment Method	Payment Number	Payment Status
07/07/2020	Debit Card	1134411	\$11,130.00
07/21/2020	Debit Card	1777500	\$1,590.00
07/28/2020	Debit Card	2055300	\$795.00
08/03/2020	Debit Card	2244027	\$195.00
08/10/2020	Debit Card	2473849	\$195.00

13. The application also included materially false, fictitious, or fraudulent representations relating to HUDDLESTON's employment status. The application affirmatively indicated that HUDDLESTON's was "unemployed as a direct result of a pandemic or major disaster", i.e. COVID-19, that HUDDLESTON's was "self-employed, business owner, worked with a religious entity, or a gig worker whose employment was affected by the COVID-19 virus", that the date he last performed work was March 30, 2020, and that if offered a job, HUDDLESTON would be able to accept it.

14. On August 7, 2020, at approximately 9:30 a.m., FBI Special Agents actively participating in this investigation interviewed Paris DAVIS at her home residence located at 10 W. Reynolds Street, New Castle, Pennsylvania. During the interview, DAVIS stated that her boyfriend, Tylan HUDDLESTON, filed for and received Pennsylvania Unemployment Assistance

(PUA). DAVIS stated that a female by the nickname "Easy E"¹ assisted HUDDLESTON in filing for PUA. DAVIS stated HUDDLESTON received ten thousand dollars (\$10,000) from PUA.

15. Later that same morning, at approximately 11:23 a.m., HUDDLESTON, utilizing the LCJ inmate telephone system, made an outgoing call to DAVIS, from phone number (724) 730-5110. Below are partial transcriptions of the approximately 20-minute communication that occurred (PD = Paris Davis; TH = Tylan Huddleston; U/I: Unintelligible):

PD: You know what the fuck I was in here doing? Sitting here with the FBI. Fuckin around with this fuckin unemployment.

TH: For real?

PD: I also just called ahh umm Eileen, I told her, I don' know what the fuck but uh uh. I'm not goin ta jail for fuckin nobody. And I'm not getting caught up in no shit.

PD: They asked me like, did someone file for you (TH)? An I'm like yeah, but I didn't, of course didn't tell em' the name.

PD: They asked me who filed our stuff? Of course I didn't tell em, I was jus' like somebody named "Easy" that's all I know. They're like well do you know her? An I'm like no, I met her at umm, at a pub or place like "El Cap". I said, she sat down to help me da da da an help him. An they're like ohh ok, well where is he at? An I was like umm in jail, like, like I didn't know what to say like. An they're like oh ok, they just asked me a whole bunch of different questions.

TH: Whaat?

PD: An that's why I'm not doing that shit no more, an that's on you like "no still file". Fuck that! An that's, like I told you. What did I tell you?

TH: Word

PD: That shits gonna fall back on who? Me!

TH: Word

TH: What... that is crazy.

PD: An Eileen, I jus off tha phone with her an she's like well they can't arrest everybody. That's not what he said.

¹ As explained further below, "Easy E" was later identified by DAVIS as Eileen Bower

TH: So what else they ask about me?

PD: They was just like, oh did he file for un-unemployment and I was like yeah I said. But, but I jus' told them your stuff was just being processed. An U/I of course you did get your money, an I was like, he finally end up getting his.

PD: If your jail already, that was fraudulent. An I was like well I did not know that.

TH: Right

PD: So again, don't even go sayin nothing to nobody else.

TH: Man look, I'm, I'ma bout to tell you this though. First of all, take that money out your bank account, because they're gonna freeze your bank account. So, did my money go to my bank account yet?

PD: I don't know, I haven't went there.

TH: When is you gonna find out if my money went to my bank account?

PD: I'll call today

TH: They're gonna freeze them accounts.

TH: Listen, you can, you gotta take your money out the bank and like I would do it today if I was you for real for real. Cause if, once they freeze the accounts how you goin feed your girls an how you gonna... put that shit somewhere like, where you put my money last time in the safe.

PD: Mmhmm

TH: That's what you need to do, go take that shit out. All that shit, every last penny and go put that shit in the safe. And then you gotta check an see what's going on with my money. My money shoulda landed, my, that was like two and a half, three weeks ago.

PD: That was not no two and a half, three weeks ago

TH: Paris, my money, can you, you sent me that email July 23rd. Unless you didn't put my money in the bank the time you said you did.

PD: U/I real quick.

TH: When'd you put my money in the bank?

PD: I gotta go through an see Ty, I mean my minds just everywhere right now. I'm just so U/I

TH: Yeah but, I'm jus sayin, you gotta get on top because, that's... no, you gotta get on top of this shit. Go pull that money outta the bank, go see where my shit is at, go see if it's still on the card or not, or go see if it's in my bank. Go run an get my bank card and go see if it's in the bank, go pull my shit outta the bank, go pull your shit outta the bank, an all that.

TH: Can you just do one favor for me please?
PD: What?
TH: Go on that website and see if my money went in my bank an then call that card and see how much money is on that card.
PD: I just logged into your thing and it still says nothing. But I'ma still go an call em.
TH: Well call that card, cause that money gotta be, if it's not, if that money's not in that bank yet, that was three weeks ago, two weeks ago. If that money's not on that bank it's in, it's on that card. It gotta be, it's either one of the two.

TH: Well listen, besides all that... make sure you get my 3000. Cause it's not in my bank, it's gotta be on that card. So go check an see what that card, how much is on that card. Please.
PD: There's nothing on the card.
TH: So where is that, Paris so where is the money at then? If it's not in my bank an it's not in the card, where is it at?
PD: It's going to your bank. Once they take it off your card it's going to the bank.

16. At approximately 11:44 a.m. HUDDLESTON, utilizing the LCJ inmate telephone system, made an outgoing call to DAVIS, utilizing (724) 730-5110. Below are partial transcriptions of the approximately 18-minute communication that occurred (PD = Paris Davis; TH = Tylan Huddleston; U/I: Unintelligible):

TH: So how much did you take off that card?
PD: I took all the money off the card.
TH: Ok, I understand that. But when you, so, how much, you gave "Darien" a 1000 right?
PD: Mmhmm
TH: But you said I should had 3000 right?
PD: I didn't touch the money that she had here, I touched the money that they, was for like my, my ah umm... off the card. 'Member I told you I went to the ATM, I took \$1000 off an it took off \$5 or something like that, so it made me do that.
TH: Right
PD: But you said give that to "Darien".
TH: Right
PD: But all together you didn't have exactly 8000 Ty, you had like 7000 and some change. Of course, I took the lower amount but whatever.
TH: Right
PD: But umm...

TH: Ok so where is that four, where that five hundred that, you said you didn't touch that money that was at the house, where's that money that's at the house then?
PD: What do you mean? I sent you three and then the other money U/I "Kwon" gave you.
TH: You didn't send me three U/I
PD: Shut up, yes I did.
TH: No you did not. Alright, you sent me, you sent me three from your bank account. Kwon still never gave you that two.

TH: I said give "Darien" a thousand all together so if you gave "Darien" a thousand off the card, ok so that's 2500, you still should have that 487 that you never touched from the bedroom
PD: Right
TH: Which should be 2987 which is 3000. What are you talking about? You never sent, you only sent me 300 one time.

TH: Ok, now listen to me please, it's Friday. Can you- all I'm askin, I'm not tryin to bother you or annoy you, can you just get on top of that? Because they're gonna start freezing your shit. An you need get- find a ride to go get your money outta the bank.
PD: I need to get a rental, period. I, I keep sayin it but I just don't cause I don't wanna waste my money. U/I
TH: I just gave, I just gave you \$200. Go get a rental with that.

TH: That PUA's in my name so I know they probably gonna be comin up here.
PD: They prolly gonna call me, they gonna be wondering how the fuck did you file, you're in jail!
TH: An you don't know! I don't know.
PD: You filed before you went to jail actually so you already in the system.
TH: Ohh, yep I filed before I went to jail.
PD: But you finally got it when you went to jail
TH: Aight, aight. But I ain't gonna lie, I ain't got nothin to talk about if they come up here.

17. On August 12, 2020, FBI Special Agents re-interviewed Davis at her residence, located at 10 W. Reynolds Street, New Castle, Pennsylvania, regarding her knowledge and involvement with HUDDLESTON's PUA Online application and payments. At the onset of the interview, DAVIS identified an official state photograph of Eileen BOWER, absent biographical

information, as the person she previously referred to as “Easy E”. At that point, DAVIS conceded that BOWER informed her and HUDDLESTON about the PUA program, prior to HUDDLESTON’s incarceration. BOWER then filed the PUA application on behalf of DAVIS and HUDDLESTON using her laptop computer. DAVIS provided BOWER with HUDDLESTON’s PII in order to complete the application and to continue to certify the application while HUDDLESTON was incarcerated at LCJ. In approximately July of 2020, DAVIS took over the online certification responsibility on behalf of HUDDLESTON.

18. HUDDLESTON directed DAVIS to take \$1,500 from the debit card issued for PUA funds and provide it directly to BOWER. During that time, BOWER was out of town and DAVIS instead gave the money to BOWER’s sister. DAVIS knew that HUDDLESTON received approximately \$11,000 as a result of the PUA benefit, \$3,500 of which was given to her.

19. In registering, the address “10 W Reynolds Street, New Castle, PA 16101” was provided as the “Claimant Address,” which is the address that FBI Special Agents know is DAVIS’ residence.

CONCLUSION

20. Based on the information above, your affiant submits that there is probable cause to believe that, on or about July 4, 2020, in the Western District of Pennsylvania, Tylan HUDDLESTON and Paris DAVIS knowingly filed, or aided and abetted the filing, of a claim for Pandemic Unemployment Assistance and Federal Pandemic Unemployment Compensation benefits that contained false, fictitious, and fraudulent statements or representations, in violation of 18 U.S.C. §§ 1040(a)(2) and 2, and that, on or about July 4, 2020, and continuing thereafter until on or about August 9, 2020, in the Western District of Pennsylvania, Tylan HUDDLESTON

and Paris DAVIS conspired to commit fraud in connection with a major disaster or emergency benefit, in violation of 18 U.S.C. § 371.

21. The above information is true and correct to the best of my knowledge, information and belief.

Respectfully submitted,

/s/ Gregg Frankhouser

GREGG FRANKHOUSER
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Sworn and subscribed before me, by telephone
pursuant to Fed. R. Crim. P. 4.1(b)(2)(A)
this 21st day of August, 2020.


HONORABLE CYNTHIA K. EDDY
United States Chief Magistrate Judge

